

U.S. Department of Justice
United States Marshals Service

Case 1:07-cv-03587-MGC Document 12 Filed 05/15/2008 Page 1 of 3

ORIGINAL

PROCESS RECEIPT AND RETURN
See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF	COURT CASE NUMBER
UNITED STATES OF AMERICA	07 Civ 3587 (MGC)
DEFENDANT	TYPE OF PROCESS
All Assets of ASA Drugs, Including \$207,644...	Publication

SERVE ▶	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
	Sandy Moo, USMS
AT	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
	500 Pearl Street, New York, New York 10007

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form - 285
UNITED STATES ATTORNEY'S OFFICE SOUTHERN DISTRICT OF NEW YORK ONE SAINT ANDREW'S PLAZA NEW YORK, NY 10007-1703 ATTENTION: Renee Spilker	Number of parties to be served in this case
	Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVER (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Server):
Fold

Please publish the following notice of publication in The New York Daily News for three consecutive weeks.

07-FBI-003040 & 07-FBI-003041

CATS # 07-FBI-003042 Please return to paralegal Renee Spilker, 212-637-1074

Signature of Attorney or other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
AUSA Christine Meding / <i>CS</i>	<input type="checkbox"/> DEFENDANT	212-637-2614	6/5/07

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No.	District to Serve No.	Signature of Authorized USMS Deputy or Clerk	Date
		54	54	<i>Sandy Moo</i>	7/11/07

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	Date of Service <i>9/11/07</i> Time <i>am</i>
	Signature of U.S. Marshal or Deputy <i>Sandy Moo</i>

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or Amount of Refund

REMARKS: 9/11/07 - Notice was published in the DAILY NEWS on July 20, July 27, and August 3, 2007. (copy attached)

ORIGINAL

U.S. ATTORNEY COPY

STATE OF NEW YORK

City and County of New York

Juanita Boyle of said City, being duly sworn says that she is an Advertising Representative of "THE NEWS", a daily and Sunday newspaper published in the City of New York, and that the notice, of which the annexed is a copy, was published in the said newspaper on:

July 20, 2007
 July 27, 2007
 August 3, 2007

LEGAL NOTICE
 USA-33-100 NOTICE OF CIVIL FORFEITURE PROCEEDING Rev. 11/94
 UNITED STATES DISTRICT COURT: SOUTHERN DISTRICT OF NEW YORK
 On May 4, 2007, the United States of America commenced a civil action demanding forfeiture thereof under the provisions of 18 U.S.C. § 981 (a) (1) [A] and [C], as property derived from proceeds of a Federal health care offense and a conspiracy to commit a Federal health care offense, namely, a scheme to defraud Medicaid, in violation of 18 U.S.C. §§ 1347 and 1349, property constituting and derived from a conspiracy to commit a Federal health care offense, namely, a scheme to pay bribes or kickbacks to Medicaid patients to induce them to purchase medicine, in violation of 18 U.S.C. § 371 and 42 U.S.C. § 1320a-7b(b) (2) [B] and property involved in actual or attempted money laundering transactions, or property traceable to such property, in violation of 18 U.S.C. §§ 1956 and 1957, for all assets of ASA Drugs, including \$207,644.00 in United States currency on deposit at JP Morgan Chase in account number 106 067 681 865; for all assets of Nash Pharmacy, including \$1,492,892.00 in United States currency on deposit at JP Morgan Chase, in account number 106 067 344 365 and all assets of Stay Slim Pharmacy, including \$128,534.00 in United States currency on deposit at JP Morgan Chase in account number 106 067 626 065, 07 Civ. 3587 (MGC). Notice is hereby given that all persons claiming the same or knowing or having anything to say why the same should not be forfeited pursuant to the prayer of said complaint, must file their claim in accordance with Rule G from the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions with the Clerk of the Court, in Room 120, United States Court House, 500 Pearl Street, New York, New York, by September 04, 2007, which is 30 days after the last publication of this action or within such additional time as may be allowed by the Court; and must serve their answers within 20 days after the filing of their claims, or default and forfeiture will be ordered. Any person with an interest in the property may also wish to file a petition for remission or mitigation of the forfeiture, as provided for in Title 28, Code of Federal Regulations, and failure to file such a petition may affect any rights that a person claiming an interest in the property may have with respect to this property. Dated: July 2007 New York, New York. MICHAEL J. GARCIA U.S. Attorney/SDNY, JOSEPH R. GUCIONE, U.S. Marshal/SDNY

Sworn before me this
 of

3rd day
 August 2007

Sheryl Maynard

SHERYL MAYNARD

Notary Public, State of New York

No. 01MA6133621

Qualified in Kings County

Commission Expires September 19, 2009

RECEIVED
 10/17/2007
 10/17/2007

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

ALL ASSETS OF ASA DRUGS, INCLUDING
\$207,644.00 IN UNITED STATES
CURRENCY ON DEPOSIT AT JP MORGAN
CHASE, IN ACCOUNT NUMBER
[REDACTED] 1 865;

ALL ASSETS OF NASH PHARMACY,
INCLUDING \$1,492,892.00 IN UNITED
STATES CURRENCY ON DEPOSIT AT JP
MORGAN CHASE, IN ACCOUNT NUMBER
[REDACTED] 4 365; and

ALL ASSETS OF STAY SLIM PHARMACY,
INCLUDING \$128,534.00 IN UNITED
STATES CURRENCY ON DEPOSIT AT JP
MORGAN CHASE, IN ACCOUNT NUMBER
[REDACTED] 6 065,

Defendants-in-rem.

PUBLICATION AFFIDAVIT
07 CIV 3587 (MGC)

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for the United States of America
One St. Andrew's Plaza
New York, New York 10007
(212) 637-2218

ANNA E. ARREOLA
Assistant United States Attorney
-Of Counsel-